

TOWN OF GIG HARBOR

ORDINANCE NO 23

AN ORDINANCE PROVIDING FOR AND REGULATING MUNICIPAL ELECTIONS IN THE TOWN OF GIG HARBOR, SPECIFYING ELECTIVE OFFICES, PROVIDING FOR NOMINATIONS, PROVIDING FOR AND REGULATING THE HOLDING OF A NOMINATING CAUCUS, REPEALING CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, The Washington State Legislature enacted Chapter 161, Laws of 1949, governing nomination of candidates for elective office of Towns of the Fourth Class; and

WHEREAS, The Town of Gig Harbor has no ordinance governing such matters, and in view of the forthcoming municipal election to be held the second Tuesday in March, 1950, the enactment of such an ordinance is an immediate necessity,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF GIG HARBOR:

1. A general municipal election shall be held in the Town of Gig Harbor once each year, and such special elections as may from time to time be called.

2. All town elections, whether general or special, shall be held on the second Tuesday in March of the year in which they shall be called, provided, that this section shall not be construed as fixing the time for holding elections for the recall of any duly elected town official, and provided further, that whenever in the opinion of the Town Council an emergency exists which requires the holding of a special election, such council may by resolution call a special election for the purpose of meeting said emergency.

3. All elections called and held within the Town of Gig Harbor shall be conducted in the manner provided by the general election laws of the State of Washington.

4. Elective offices within the Town of Gig Harbor shall be Mayor, Treasurer and Councilman. All other town offices shall be filled by appointment by the Mayor or by action of the town council, as provided by law and/or the ordinances of the town.

5. No person shall be eligible to hold elective office within the Town of Gig Harbor who shall not have continuously resided within the corporate limits of the town for at least six months immediately preceding the date of the election to be held for that office, and who shall not be a registered voter within the town at the time of his nomination.

6. Nominations for elective office within the Town of Gig Harbor shall be made by party caucus, in the manner hereinafter provided, and there shall be no primary elections for the purpose of nominating candidates for any elective office of the said town.

7. A Mayor shall be elected each four years for a four year term, with the next election for such office after the effective date of this ordinance to be held in the year 1951. In the event of a vacancy in the office of Mayor, the senior councilman in point of length of continuous service on the town council shall

act as Mayor pro tempore until such vacancy shall be filled, and such vacancy shall be filled by election of a Mayor for the unexpired term at the next succeeding general town election, provided, that if such vacancy occurs during the final year of the regular term the Mayor pro tempore shall hold such office until the expiration of the regular term and until a successor is elected and qualified. Any councilman so acting as Mayor pro tempore shall retain his status as councilman.

8. A Treasurer shall be elected each four years for a four year term, with the next election for such office after the effective date of this ordinance to be held in the year 1951.. In the event of a vacancy in the office of Treasurer occurring during the regular term of that office, the Mayor shall appoint a qualified person to fill such office until a successor shall have been elected and qualified, and the unexpired term of such office shall be filled by election of a Treasurer at the next general town election, provided, that if such vacancy occurs during the final year of the regular term of such office, no election of a successor for the unexpired term shall be held and the appointive Treasurer shall hold such office until his successor is elected and qualified.

9. Five councilmen shall be elected for terms of two years each, with three such councilmen being elected in the even-numbered years and two during the odd-numbered years. In the event of a vacancy in the office of councilman, the Mayor shall appoint a qualified person to fill such office until a successor shall have been elected and qualified, and the unexpired term of such office shall be filled by the election of a councilman at the next general town election, provided, that if such vacancy occurs during the final year of the regular term of such office, the person appointed shall hold such office until the end of the regular term and until his successor is elected and qualified.

10. All nominations for elective office in the Town of Gig Harbor shall be made by caucus, to be held within the corporate limits of the Town not less than 30 nor more than 60 days prior to the date of the election. Notice of such caucus shall be given by publication thereof in the official paper of the Town, or in any newspaper of general circulation within the Town, once at least 10 days prior to the date of such caucus, and further by posting of copies of such notice in at least 3 public places within the Town, and by such further notice as the Town Clerk may see fit to give. Such notice shall state the time and place at which such caucus will be held, that the purpose thereof is to nominate persons to be voted upon at the ensuing Town election, shall specify the offices for which nominees shall be chosen, and shall further state that only qualified voters of the Town may attend and participate.

11. Said caucus shall be held within the corporate limits at the Town Hall, or at such other public place as the Town Clerk may designate or approve. No caucus shall be held in a private home. Said caucus shall be held in the evening at the hour of 8 o'clock P. M.

12. It shall be the duty of the Town Clerk to call said caucus prior to any municipal election requiring nominations to be made, and to give the notice thereof as above provided at the expense of the Town.

13. Said caucus shall be called to order by the Mayor, who shall act as temporary chairman. In his absence any councilman may preside, in order of seniority in point of length of service on the Council. The Town Clerk shall act as Clerk of the caucus. The first order of business shall be the selection of a permanent chairman, who shall be elected by ballot, and who shall preside throughout the remainder of the meeting. The caucus shall then proceed to nominate for the offices to be filled at the ensuing election, with names proposed by voice from the floor. In determining the nominee or nominees for each office to be filled, the three persons receiving the highest number of votes of said caucus shall be certified as the nominees for said office. Each vacancy in the office of councilman shall be considered a separate office for the purpose of determining the number of nominees only. Nominees shall be selected upon the basis of the highest number of votes received at said caucus, that is: the person receiving the highest number of votes shall be the first nominee, the person receiving the next highest number of votes shall be the second nominee, etc., provided that the caucus may nominate only one or two persons if that is the desire of the caucus, and provided further, that in the event of a tie for any such nomination the caucus shall choose by ballot between them. The Chairman shall appoint tellers and counters and otherwise arrange the details of balloting. Robert's Rules of Order shall govern the conduct of the caucus in all respects not herein provided.

14. Only qualified voters of the Town of Gig Harbor may attend and participate in any caucus, and it shall be the duty of the Town Clerk to cause each person attending said caucus to sign a register to be maintained by him for that purpose. Any person present may challenge the eligibility of any person claiming the right to participate, and all such disputes shall be determined by the Town Clerk.

15. Before any person nominated for election within the Town of Gig Harbor shall be certified on the ballot he shall appear before the Town Clerk before the expiration of seven days from the holding of said caucus and file a declaration of candidacy on a form provided for that purpose, and shall pay a candidacy fee of \$1.00. The name of any person nominated by said caucus who shall fail to comply with this provision shall not be certified by the Town Clerk to the Pierce County election board for placement on the ballot.

16. It shall be the duty of the Town Clerk to provide suitable ballots and ballot boxes, to keep accurate minutes and records of the actions of the caucus and of the ballot count, and to certify and read the names of the nominees at the next meeting of the Council and to file certificates of nomination as hereinbefore provided in the office of the County Auditor not less than 20 days before the ensuing town general election. It shall also be his duty, subject to the directions of the Council, to prepare the notice of caucus and to cause the same to be published and posted as herein required. He shall make proof of posting by affidavit which shall be filed with the records of the Town. In the event of his absence from the caucus, a clerk of the caucus shall be appointed by the temporary chairman, and certificate and minutes of such clerk shall be sufficient basis for the Town Clerk to file the certificates of nomination with the County Auditor.

17. If any portion of this ordinance shall be adjudged

invalid, such invalidity shall not affect the portions which are not adjudged invalid.

18. All ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as the same are in conflict with this ordinance or any part thereof.

19. An emergency is hereby declared to exist and this ordinance shall become effective immediately upon the passage and publication thereof in the manner provided by law.

Passed: January 23, 1950.

HAROLD H. RYAN
Harold H. Ryan MAYOR

Marie Gustafson
Attest: MARIE GUSTAFSON
TOWN CLERK